

REMARKS

**I. Sequence Listing:**

The Examiner states that this application fails to comply with the requirements of 37 C.F.R.

§§1.821(a)(1) - 1.825 because SEQ ID NOs are not cited with sequences in the specification. The Examiner also states although SEQ ID NOs are not required in the Figures per se, the corresponding SEQ ID NOs are required in the Brief Description of Drawings section in the specification. The Examiner also states that applicants are required to submit a new computer readable form sequence listing, a paper copy for the specification and statements under 37 C.F.R. §§1.821 (f) and (g).

Applicants have amended the sequence listing to add the p38, ERK2, cAPK sequences disclosed in replacement Figure 1B (former Figure 1A). The sequence listing of ERK2 includes a February 22, 2001 Preliminary Amendment to original Figure 1A. This amendment was made to correct an inadvertent typographical error to replace the amino acid sequence "ILRGLKYIHSAD" with "IRLGLKYIHSAN" at the beginning of the third line of the ERK2 sequence.

During a telephone discussion with the Examiner on September 17, 2003, the Examiner agreed that a

sequence listing for original Figure 1 (now Figure 1A-1 to 1A-60) was not required. Applicants submit herewith a substitute copy of the computer readable form sequence listing, substitute sheets for the paper copy of the sequence listing and statements under 37 CFR §1.821 (g), 1.825(a) and (b).

As requested by the Examiner, paragraphs on pages 5, 31, 35, 40 and 47 of the specification were amended to include SEQ ID NOS. Applicants have also corrected typographical errors in the specification. These amendments to the specification do not constitute new matter.

## **II. Drawings:**

In response to the Draftperson's patent drawing objections, applicants have replaced original Figure 1 and Figure 1A (original drawing sheets 1/61 to 61/69) with replacement Figure 1A-1 to 1A-60 and Figure 1B (replacement drawing sheets 1/69 to 61/69), respectively.

Applicants have separately labeled each page of original Figure 1 as Figure 1A-1 to 1A-60, consecutively, as required by the draftsperson. Accordingly, applicants have also relabeled original Figure 1A to Figure 1B in the drawing and specification.

In addition, in replacement Figure 1B (former Figure 1A), the numbers and reference characters have been increased in size to conform with the requirement under 37 C.F.R. § 1.84(p), as required by the draftsman.

Please note replacement Figure 1B includes an amendment made in a February 22, 2001 Preliminary Amendment. This amendment was made to correct an inadvertent typographical error to replace the amino acid sequence "ILRGLKYIHSAD" with "IRLGLKYIHSAN" at the beginning of the third line of the ERK2 sequence.

These amendments to the drawings do not constitute new matter.

Applicants have also submitted a set of replacement drawings to the Official Draftsman for Correction of Informalities under 37 C.F.R. § 1.85.

### **III. Restriction Requirement:**

The Examiner contends that restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-7, drawn to a crystallizable composition.

II. Claims 8-11, drawn to a computer for producing a three-dimensional representation of a molecule or molecular complex.

III. Claims 12-14, drawn to a method of evaluating the potential of a chemical entity to associate with a molecule or molecular complex.

IV. Claim 15, drawn to a method of obtaining structural information about a molecule or a molecular complex whose structure is unknown.

V. Claims 16-18, drawn to a method for identifying a potential agonist or antagonist of a molecule comprising a JNK-3 like binding pocket.

The Examiner states that inventions of Groups I-V are distinct inventions because they are directed to different chemical types regarding critical limitations therein. The Examiner also states that a search for inventions of Groups I-V would constitute a serious burden if examined together because each group of inventions has distinct critical features and is commonly separately characterized and published in Biochemical literature.

Applicants elect Group V (claims 16-18) for initial substantive examination.

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Reply to Office Action of Dec. 18, 2002

This election is made expressly without waiver of applicants' rights to continue to prosecute and to obtain claims to the non-elected and/or canceled subject matter either in this application or in other applications claiming priority here from.

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Conclusion:

Applicants request reconsideration of this  
application and an early allowance of the pending claims.

Respectfully submitted,



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James F. Haley, Jr. (Reg. No. 27,794)  
Attorney for Applicants  
Li Su (Reg. No. 45,141)  
Michele A. Kercher (Reg. No. 51,869)  
Agents for Applicants  
c/o FISH & NEAVE  
1251 Avenue of the Americas  
New York, New York 10020-1105  
Tel.: (212) 596-9000